



**GAIL FARBER, Director**

## **COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

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August 18, 2009

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**AWARD OF A PUBLIC WORKS CONSTRUCTION CONTRACT  
GAGE AVENUE NEIGHBORHOOD PARK  
UNINCORPORATED COMMUNITY OF FLORENCE-FIRESTONE  
(SUPERVISORIAL DISTRICT 1)  
(3 VOTES)**

**SUBJECT**

This action is to award a public works construction contract for Gage Avenue Neighborhood Park and authorize the Director of Public Works or her designee to execute the contract with the contractor for work in the unincorporated community of Firestone-Florence.

**IT IS RECOMMENDED THAT YOUR BOARD:**

Award and authorize the Director of Public Works or her designee to prepare the construction contract in the form previously approved by County Counsel, execute the contract, and establish the effective date following receipt of approved Faithful Performance and Labor and Material bonds and insurance filed by the contractor for Project ID No. RDC0014807 - Gage Avenue Neighborhood Park, to install landscaping, lighted pedestrian paths, storm water treatment features, and playground equipment, in the unincorporated community of Florence-Firestone, to T K Engineering Co., in the amount of \$529,166.

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### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to obtain the County of Los Angeles Board of Supervisors' (Board) approval to award this construction contract and authorize the Director of Public Works or her designee to execute the contract and establish the effective contract date following receipt of approved bonds and insurance filed by the contractor for this project.

The enclosure includes the project description, the call for bids and bid opening date, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposal are also enclosed.

The recommended construction contract is necessary to execute a Board directed and approved Department of Public Works (Public Works) project in support of operational missions. Your Board's approval of the recommended contract award and the subsequent execution of the contract will ensure the timely completion of the project.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). Awarding this contract will provide a neighborhood park to better serve the public and will enhance the quality of life in the affected communities.

### **FISCAL IMPACT/FINANCING**

The recommended contract amount of \$529,166 will have no impact to the County General Fund.

The enclosure includes the amount of the recommended contract as compared with the engineer's estimate, the other bids received; and more detailed fiscal and financial information.

This project is included in the Fiscal Year 2009-10 Capital Projects Refurbishments Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel. The recommended contract was solicited on an open competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in compliance with the Chief Executive Officer's and your Board's requirements.

This contract contains terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County of Los Angeles' (County) Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that; (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to a responsible contractor with the lowest responsive bid and a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor was considered before making this recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

### **ENVIRONMENTAL DOCUMENTATION**

This project was found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of this finding are included in the enclosure.

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### **CONTRACTING PROCESS**

The contract was solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

To further increase contractor awareness of contracting opportunities with Public Works, this project was listed on the County website for upcoming bids.

Public Works will review and approve the faithful performance and payment bonds filed by the contractor.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This construction contract will result in improved public works infrastructure in the community where the work is scheduled.

### **CONCLUSION**

Please return one adopted copy of this letter to Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTS:ma

Enclosures

c: Chief Executive Office (Lari Sheehan)  
County Counsel  
Executive Office  
Office of Affirmative Action Compliance

AWARD OF CONTRACT  
August 18, 2009

PROJECT ID NO. RDC0014807 - GAGE AVENUE NEIGHBORHOOD PARK (in the unincorporated community of Florence-Firestone), Supervisorial District 1

TYPE OF WORK: Installation of landscaping, lighted paths, storm water treatment features, and playground equipment.

CALL FOR BIDS DATE: May 19, 2009 (Agenda Item 47)

BID OPENING DATE: June 16, 2009

BID SUMMARY:

Low	T M T Development Co., Inc., a corporation dba T K Engineering Co. 3345 Wilshire Boulevard, Suite 603 Los Angeles, California 90010 (213) 380-2349	\$529,166.00
2	*Choong Gil Construction, Inc.	\$538,373.00
3	*Mega Way Enterprises	\$567,055.00
4	Vido Samarzich, Inc.	\$594,458.00
5	International Pavement Solutions, Inc.	\$600,000.00
6	C. S. Legacy Construction, Inc.	\$609,568.00
7	Marina Landscape, Inc.	\$626,081.00
8	Pivot Group, Inc.	\$629,081.00
9	Environmental Construction, Inc.	\$646,123.00
10	*Simgel Company, Inc.	\$778,570.00

\*MWBE

FINANCIAL INFORMATION:

Amount of estimate	\$631,140.00
Amount of recommended contract	\$529,166.00
Amount of recommended contract below estimate	\$101,974.00

The amount of the recommended contract is 16 percent below the estimate.

The project cost will be financed with the State Proposition 40 Roberti-Z'Berg-Harris Program and First Supervisorial District funds allocated for enhanced unincorporated area services. Sufficient funds for this project are included in the Fiscal Year 2009-10 Capital Projects Refurbishments Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISES DATA:

T K Engineering Co. has no MWBE subcontractors/suppliers under this contract.

ENVIRONMENTAL IMPACT:

On April 15, 2008, Agenda Item 46, your Board found this project categorically exempt.

CONSTRUCTION SCHEDULE:

This project is to be completed in 60 working days. It is estimated the work will start in October 2009 and be completed in January 2010.

HHH:en